

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:08-CR-75-FL-1

UNITED STATES OF AMERICA,

v.

CRUZ EDUARDO VALENCIA-ADATA
a/k/a MARCO ANTONIO VALENCIA,

Defendant.

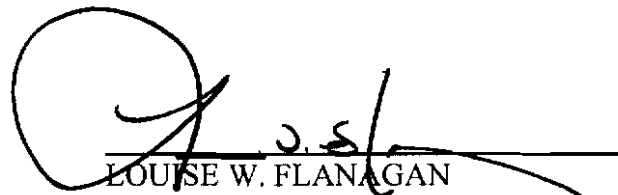
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ORDER

This matter is before the court on the Memorandum and Recommendation ("M&R") of United States Magistrate Judge David W. Daniel, regarding defendant's motion to dismiss indictment for multiplicity (DE # 23). No objections to the M&R have been filed, and the time within which to make any objection has expired. The issues raised are ripe for ruling.

After careful review of the record and the facts proposed to be found, the court finds no error and adopts the statement of facts, carefully set forth by Judge Daniel, as its own. The legal conclusions reached are correct, and this court ADOPTS the recommendation of Magistrate Judge Daniel. Defendant's motion (DE #23) is DENIED.

SO ORDERED, this the 15th day of September, 2008.


LOUISE W. FLANAGAN
Chief United States District Judge